



Town of Tyngsborough
Planning Board
25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 115

MINUTES
March 20, 2014

APPROVED

Attachments:

1. Meeting Agenda
2. 4 Trader Circle Site Plan Special Permit Application – 2/18/14
3. David E. Ross Associates Report for 4 Trader Circle – 3/17/14
4. Town Dept. Comments for 4 Trader Circle
5. 400 Business Park Dr. Site Plan Special Permit Application – 2/20/14
6. David E. Ross Associates Report for 400 Business Park Dr. – 3/18/14
7. Town Dept. Comments for 400 Business park Dr.
8. Fuss & O'Neill Response to Comments for 400 Business Park Dr. – 3/20/14
9. Preliminary Subdivision Application – 3/21/14

Members Present: William Gramer, Chairman
Kimberly O'Brien, Vice Chairman
Tom Delmore
Steve Nocco
Steve O'Neill

Members Absent: Jesse Johnson, David E. Ross Associates

7:00pm - Meeting called to order by Chairman William Gramer

7:02pm **4 Trader Circle (M13, P42, L0)** – Logan Realty Trust, applicant, for a Special Permit application pursuant to Tyngsborough Zoning By-Laws Section 2.11.30 for a Site Plan Special Permit for the proposed construction of a 9,900s.f. industrial building for purposes of operating a heavy vehicular sales or repair business. Said property is zoned I-1.

S. Nocco: Motion to waive the reading of the legal notice and abutters list

T. Delmore: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

Atty. Kevin Eriksen and engineer Doug Lees appeared before the Board to discuss this project. Atty. Eriksen explained that a new 9,900 s.f. building is proposed to be built in an I1 zone within an existing industrial park. There would be five service bays that would be rented out to businesses that would need heavy equipment storage in addition to the means to repair those vehicles. No heavy vehicle sales are intended at this site. In addition, it was noted by the Assessor that the actual address of the new building will be 32 Progress Ave. since the entrance will be along Progress Ave. and not Trader Circle. It should be noted that the designated map and parcel numbers are correct as submitted in the application.

Engineer Doug Lees explained that the site has access to the sewer line on Progress Ave. and they will be connecting to that. They will be filing for a connection permit with the Sewer Department and will address the floor drain concern they had at that time. In addition, they will need a NPDES Stormwater Permit from EPA. They have already received the local Stormwater Permit from the Conservation Commission. Mr. Lees went on to say that there would be 23 parking spaces in conformance with by-law requirements.

Board engineer J. Johnson issued a review that outlined concerns with grading, manholes, emergency vehicle access, drainage and lighting. In addition the Board had concerns with the parking situation. Although the plans indicate the correct number of by-law required parking spaces, the Board felt that an influx of heavy vehicles on the site would result in these types of heavy vehicles littering the site, as there is no adequate space for them to be stored while waiting for repairs, etc. Mr. Lees indicated that he would take a look at the site and work on creating an extra parking area that might be used for that purpose. In addition, he would also need to make the necessary changes based on J. Johnson's comments. Atty. Eriksen asked for a continuance to the April 17th meeting.

S. O'Neill: Motion to continue this hearing until April 17, 2014 at 7pm.

S. Nocco: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

7:30pm **400 Business Park Dr. (M12, P5, L2)** – Jenike & Johanson, applicant, for a Special Permit application pursuant to Tyngsborough Zoning By-Laws Section 2.11.30 for a Site Plan Special Permit for the proposed construction of a 11,335s.f. industrial building addition. Said property is zoned I-1.

S. Nocco: Motion to waive the reading of the legal notice and abutters list

T. Delmore: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

Engineer Dan Delaney from Fuss & O'Neill appeared before the Board to explain this project. Jenike & Johanson is a consulting & engineering firm that is expanding their business with a proposed 11,335 s.f. addition that will serve as offices, conferences rooms. They have secured a variance from the ZBA for screening and buffering requirements, and for the side yard setback.

Board engineer J. Johnson reviewed the plans and submitted a report with several items that needed to be addressed, most notably stormwater and drainage issues. Mr. Delaney reported that they are filing with Conservation for a stormwater permit. Mr. Delaney submitted revised plans to the Board that addressed those comments; however, J. Johnson will need additional time to review the revisions.

Abutters from 191 Kendall Rd. were present and said that they had no issues with the proposed project.

S. O'Neill: Motion to continue the hearing until April 3, 2014

S. Nocco: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

7:50pm Preliminary Subdivision Application Submission – Ava Lane

Developer Frank Gorman appeared before the Board to submit a preliminary subdivision application for a site located at 37 Willowdale Rd. (aka, Giguere Rd.). Mr. Gorman briefly explained that he is proposing a four lot subdivision with four bedroom homes in the \$500,000 range. He has submitted a warrant article for Town Meeting for an Open Space Residential Plan, but wanted to have a back-up proposal in case Town Meeting did not approve that particular plan. The Board set a hearing date of May 1, 2014.

DISCUSSION

1. Zoning By-Law Amendments – Continued to the April 3, 2014 meeting.

ADMINISTRATIVE

T. Delmore: Motion to approve the minutes as written from the 2/20/14 meeting.

K. O'Brien: 2nd the motion

In Favor: 3 Opposed: 0 Abstain: 2

Passes: 3-0-2

S. O'Neill: Motion to approve the minutes as written from the 3/6/14 meeting.

S. Nocco: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

8:15pm

S. O'Neill: Motion to adjourn

K. O'Brien: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

Minutes respectfully submitted by
Pamela Berman